Anthony Austine Ukofia,

                    Plaintiff,

v.

Department of Homeland Security, Amy Zaske,
Terry Louie, Jared Drengson, Bureau of
Immigration & Customs Enforcement, Kenneth
Olson, Five Other Unknown Deportation Officers
of the Bureau of Immigration & Customs
Enforcement, Sherburne County Jail, Sherburne
County Jail Clinic, Cari, a nurse at the Clinic, and
Rachel Cannings,

                    Defendants.

Civil No. 09-0017 (PJS/JJG)

ORDER ON REPORT AND
RECOMMENDATION

The above-entitled matter came before the Court upon the Report and

Recommendation of the United States Magistrate Judge. No objections have been filed to

that Report and Recommendation in the time period permitted.

Based upon the Report and Recommendation of the Magistrate Judge, and all the

files, records and proceedings herein,

      IT IS HEREBY ORDERED that:

1.   The Motion to Dismiss by Defendants Sherburne County Jail, Sherburne County Jail Clinic, Rachel Cannings, Cari Bancroft, and Dr. Leonard (Doc. No. 11) is **GRANTED**, and all claims against these Defendants are **DISMISSED**;

2.   The Motion to Dismiss by Defendants Department of Homeland Security, Bureau of Immigration and Customs Enforcement, Bureau of Immigration Appeals, Terry Louie, Amy Zaske, Jared Drengson, Scott Baniecke, Kenneth Olson, and Five Unknown Agents (Doc. No. 30) are **GRANTED IN PART** and **DENIED IN PART**, as follows:

a. All claims against the Department of Homeland Security, Bureau of Immigration and Customs Enforcement, Bureau of Immigration Appeals, Terry Louie, Amy Zaske, Jared Drengson, and Scott Baniecke are **DISMISSED**;

b. All claims, except the *Bivens* excessive force claim, against Kenneth Olson and the Five Unknown Agents are **DISMISSED**; and

3. The Motion for Extension of Time to Plead and Renewed Request for Appointment of Counsel (Doc. No. 40) is **GRANTED** as to the extension but is **DENIED** as to appointment of counsel.

Dated: 02/17/2010   s/Patrick J. Schiltz
                                     Patrick J. Schiltz
                                     United States District Judge